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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,082	07/17/2001	Salvador Ponticelli	38146	2676
29569	7590	12/04/2003	EXAMINER	
JEFFREY FURR 253 N. MAIN STREET JOHNSTOWN, OH 43031			VO, TED T	
			ART UNIT	PAPER NUMBER
			2122	

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,082

Applicant(s)

PONTICELLI ET AL.

Examiner

Ted T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 10-14, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 6, 9, 15 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. ~~Note the attached Office Action or form PTO-152.~~

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the communication filed on 7/17/2001.
Claims 1-18 are pending in the application.

Oath/Declaration

2. The oath or declaration is defective.

The oath or declaration is defective because: The declaration is deficient. It has unreadable words, cut off phrases, and dark, that cannot be viewed.

A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

Claims Objection

3. The form of claims 1, 6, 7, 9, 10, 15, 16, 18, in pages 14-17 are objected to because of the following informalities: The steps in these claims are not indented and they begin with capital letters. It would require each step of the claims is separated by a line indentation. See 37 CFR 1.75(i). It would require each claim begins with a capital letter and ends with a period, where periods may not be used elsewhere in the claims except for abbreviations. Therefore the steps of these claims should not begin with capital letters, except proper names. See MPEP 608.01(m).

For example, with regard to claim 1:

- Claim 1 should be separated from "What is claimed is:" and begin with the new line.
- The steps that begin with the word "Having", started at lines 4, 7, and 8 of the claim would be indented, and the word "Having" would be rewritten by "having".

Appropriate correction to these informalities of claims 1, 6, 7, 9, 10, 15, 16, 18, is required.

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-8, 10-14, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dan et al., US No. 6,560,639).

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per claim 1:

Dan discloses a system for creating a web page at server-side using a web management system (see column 13, lines 13-40). The web management system includes an administration directory as shown in FIG. 5a. In FIG. 5a, it is shown that there are at least three functionality features, modules, options, and contents. The teaching covers the claims limitations:

“A method for a novel model for dynamic server-side generation of computer program code (referring to a content of a user requested web page [figure 4], HTML code [figure 7]) which can be executed at the client machine:

Having an application (FIGs 5a and 5b)

consisting of three main sections, which subdivide the application into layers of functionality,

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the Modules section, (see 'ADMIN' in FIGS 5A, 7, 8, 9, 19, 11 etc., and in light of the specification [The specification refers 'modules' as functional component of the application], it is referred to the components 'site', 'page', 'Asset', 'template', object', 'forum', etc.),

the Options section (see 'ADMIN' in FIGS 5A, 7, 8, 9, 19, 11 etc., and in light of the specification, it is referred to hyperlinks of indented bullets in the components 'site', 'page', 'Asset', 'template', object', 'forum', etc.; and see column 13, lines 23-40, 'hyperlink'), **and**

the Content section (see column 4, lines 11-15, 'a form for updating content of a selected, listed web page', and see FIG.7, in upper left, 'content', see column 25, lines 29-38, 'Content field');

Having an Application Logic Engine (Dan discloses this limitation by showing 'BACK END DAEMON 40', 'FRONT END DAEMON 35' [FIG. 2] [column 3, 7-39], in the web management system);

Having a plurality of server and client computing means" (Dan discloses this limitation by showing means for web surfing [see column 12, lines 35-48], showing the interaction between a user request and a server [FIG.4]).

Although Dan's teaching includes the functionality of modules section, options section, and content section,

Dan does not explicitly address "**consisting of three main sections**".

Dan suggests 'HTML' editors (column 1, lines 60). It is known that HTML code can be modified for displaying of a web page in a consistent manner of sections.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to take advantage on given visual components such as HTML or visual languages, for modifying a layout (of the 'ADMIN' as shown) of an application in a consistent manner. The motivation is that it would help to manage the use of the application in oriented and friendly-viewed manners.

As per claim 2:

Regarding claim limitation, "**The method of claim 1 in which said Modules section includes all mutually-exclusive components of said application**",

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Dan does not address '***mutually-exclusive components of said application***'. All components such as 'site', 'page', 'Asset', 'template', object', 'forum', etc. as shown in FIG. 5A, shows that they are functionally independent.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include '***mutually-exclusive components of said application***' with the motivation that, reducing redundancy of files it would make easily to manage the files in an application (herein, Dan discloses the built web pages).

As per claim 3:

Regarding "***The method of claim 1 in which said Options section includes all options which implement the functionality of every Module***", see FIG. 7, FIG.8, FIG.9, etc. Dan shows that each of functionality of components 'site', 'page', 'Asset', 'template', object', 'forum', etc, ('modules section') is presented within the indented bullets. The combination of indented bullets that are hyperlinked into the right hand side area describes the whole functionality of such a component. For example, FIG. 8 shows the functionality of 'Site' (116) within the option 'Type & Styles' (195) that is hyperlinked into the right hand side area 'styles').

As per claim 4:

Dan discloses, "***The method of claim 1 in which said Options section can contain a plurality of sub-options***" (see column 4, lines 15-29, 'sub-directory navigation manager', and see FIG. 17, for example: it has three areas: the indented bullet 'Modify' ('options section') in the left hand side area; the functionality of 'Modify' in the middle area (containing 'EG Book V.8', etc.), and check boxes the right hand side area ('plurality of sub-options') represents an option such as 'EG Zippy V.16' of the middle area (see column 21, lines 47-55)).

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As per claim 5:

Dan discloses, "***The method of claim 1 in which said Content section comprises all the actual functionality of said Application***" (see column 4, lines 11-15, "a form for updating content of a selected, listed web page")

As per claim 7:

Dan discloses, "***The method of claim 1 in which includes the following step: Having server means create customized applications in response to client means request***" (see column 20, lines 35-54, 'available to a user desirous of customizing the template layout').

As per claim 8:

Dan discloses, "***The method of claim 1 in which the Application Logic Engine is integrated into an other software component architecture model***" (see column 10, lines 24-33, 'Microsoft Windows, NT 4.0, Unix, and variants of Unix,' see the same column, lines 59-62, 'Netscape Navigator and/or Microsoft Internet Explore').

As per claim 10:

Claim 10 is computer program product in which its claimed steps correspond to the steps recited in the method claim 1. Therefore, claim 10 is rejected in the same reason set forth in connecting to the rejection of claim 1.

As per claim 11:

Claim 11 is computer program product in which its claimed steps correspond to the steps recited in the method claim 2. Therefore, claim 11 is rejected in the same reason set forth in connecting to the rejection of claim 2.

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As per claim 12:

Claim 12 is computer program product in which its claimed steps correspond to the steps recited in the method claim 3. Therefore, claim 12 is rejected in the same reason set forth in connecting to the rejection of claim 3.

As per claim 13:

Claim 13 is computer program product in which its claimed steps correspond to the steps recited in the method claim 4. Therefore, claim 13 is rejected in the same reason set forth in connecting to the rejection of claim 4.

As per claim 14:

Claim 14 is computer program product in which its claimed steps correspond to the steps recited in the method claim 5. Therefore, claim 14 is rejected in the same reason set forth in connecting to the rejection of claim 5.

As per claim 16:

Claim 16 is computer program product in which its claimed steps correspond to the steps recited in the method claim 7. Therefore, claim 16 is rejected in the same reason set forth in connecting to the rejection of claim 7.

As per claim 17:

Claim 17 is computer program product in which its claimed steps correspond to the steps recited in the method claim 8. Therefore, claim 17 is rejected in the same reason set forth in connecting to the rejection of claim 8.

Allowable Subject Matter

5. Claims 6, 9, 15, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 6 and 15:

Dan discloses a Web Management system including a front end daemon and back end daemon characterized in communication with a server and a data base page (FIG.2). Dan and other prior arts of record in combination fail to disclose at least features, *"a core arbiter that controls and directs the construction of applications and serves as link between all Application Logic Engine modules and other parts of the system"*,

"An Application Descriptor Interface that interfaces and acts as an abstraction layer between the Application Building Engine and the Application Descriptor Repository",

"An Application Implementation Reference Repository is a data repository that contains client-specific implementation details of an application", and

"An Application Implementation Reference Interface that interfaces the Application Implementation Reference Repository and Application Building Engine", and in the manner as recited in claims 6 and 15.

Regarding claims 9 and 18:

Within Dan's disclosure, the user can surf the web for a web page (FIG. 4), where the web management system including a front end daemon and back end daemon characterized in communication within a server (FIG.2) provides the web page cached in the file system.

Dan and other prior arts of record in combination fail to disclose at least features,

"Passing the request to the Application Logic Engine on the Server means; Having said request contain an application identifier and functionality information; Having said application identifier referring to the type of service in the request; Having said Server implement required functionality in a Client-specific language and fulfill the request; Retrieving all application structure details including modules options and

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suboptions from a data repository; Retrieving the required platform and environment information that implements the required functionality; Interfacing the application structures and required functionality; and Delivering the finished application or an error message if application does not implement all logical descriptors required by the client means application request", and in the manner as recited in the claims 9 and 18.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kelley, US No. 6,526,524 B1, discloses a feedback method by notifying errors to a programmer of a web-based application.

Klassen et al., US 6,212,536 B1, discloses a system for generating HTML code into a template.

Candan et al., "Enabling Dynamic Content Caching for Database-Driven Web Sites", ACM, discloses techniques for invalidating generated web pages.

Lewandowski, "Frameworks for component-based client/server computing", ACM, discloses a framework for Client/Server computing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (703) 308-9049. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM ET. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam, can be reached on (703) 305-4552.

The fax phone numbers:

(703) 872-9306 (for formal communication intended for entry);

(703) 746-5429 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

TED T. VO

Patent Examiner
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November 28, 2003